

REMARKS

I. STATUS OF THE CLAIMS

Claims 1 and 3-21 are presented for examination in the Application. Claims 1, 3-5, 8, 10 and 11 have been amended by the present amendment. Claim 21 is a newly added claim. Claim 2 is cancelled without prejudice or disclaimer of the subject matter therein.

Claims 1-10 were rejected in the Office Action under 35 U.S.C. § 102(b) (hereinafter, "Section 102(b)") as being anticipated by Sundberg (U.S. Pat. No. 5,321,932, hereinafter, "Sundberg").

Claims 11-19 were objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims.

Applicant respectfully traverses all rejections and objections, and requests favorable reconsideration.

A. REJECTION OF CLAIMS 1-10 UNDER SECTION 102(b)

Claims 1-10 were rejected under Section 102(b) as being anticipated by Sundberg. Applicant respectfully traverses Examiner's rejections as explained below.

Claims 1 and 10 have been amended. Claim 1 has been amended to recite "said first sheet comprising a plurality of ribs provided individually at least in three out of four side edges of the sheet" and "wherein said displacement limitation means includes at least one slot for sliding, said slot located in at least a first sheet or in at least a second sheet or in combination thereof, and a screw extending from the slot to limit relative displacement of said first sheet with respect to said second sheet." Support for this amendment can be found in the

Applicant's specification, paragraphs [0055], [0031] and [0056] (See "plurality of ribs 60" and "slots 46"). Claim 10 has been amended to recite "said base component comprising a displacement means for effecting relative displacement of said sheets without removing the displacement means wherein the displacement means is a cam assembly mounted to the base component." Essentially, this limitation has been taken from claim 11 and incorporated into claim 10. Support for this amendment can be found in the Applicant's specification in paragraphs [0034] and [0066]. Amended claims 1 and 10 are believed novel and patentable over the applied reference as discussed below.

Sundberg

The applied Sundberg reference illustrates a loader component formed of an "upper plate 100", a "lower plate 102", and a separate "housing with side walls 96, 98"; and the top plate 100 is biased toward the retainer 106 by a spring 108 . (Column 5, line 14-22). The plates are "slidably received" in the grooves 120,122 of the housing side walls (Column 5, line 55-56; see also Figure 3).

Amended Claim 1

Applicant's amended claim 1 recites in part "an assembly for orienting capsules" wherein "said first sheet comprising a plurality of ribs provided individually at least in three of four side edges of the sheet". In contrast, Sundberg fails to teach such a limitation in that its "upper plate" is without ribs individually on its side edges. In addition, Applicant's amended claim 1 recites a "displacement limitation means including at least one slot for sliding, said slot located in at least a first sheet or in at least a second sheet or in combination thereof". Sundberg, however, does not teach or suggest this limitation but rather discloses a spring and a retainer with recess mechanism. As such, there is no "slot located in at least a

first sheet or in at least a second sheet or combination thereof". Furthermore, neither is there a "screw extending from said slot" taught in Sundberg. Therefore, amended claim 1 require limitations not disclosed by Sundberg.

Accordingly, Sundberg fails to teach each and every limitation of Applicant's amended claim 1.

Dependent Claims

Claims 3-9 depend directly or indirectly on amended claim 1, incorporating all the limitations of amended claim 1 with additional limitations. For instance, claim 3 recites the "first sheet comprises an opening and closing means adapted movably at an open side of the first sheet". Such a limitation is not provided in Sundberg. Neither is the pair of "tabs" of the opening and closing means taught by Sundberg. Furthermore, claim 7 recites "the base component comprises at least four locating feet". As dependent on claim 1, the base component of claim 7 is part of the assembly for orienting capsules. The "legs" of Sundberg are located on its encapsulator component and does not teach "locating feet" of "a base component" of "the assembly for orienting capsules". Applicant's claims are structurally different from the teachings of Sundberg. As such, dependent claims 3-9 are believed to be allowable for at least the same reasons as is claim 1

Amended Claim 10

Applicant's amended claim 10 recites in part "an assembly for filling capsules" wherein "said base component comprising a displacement means...is a cam assembly mounted to the base component." Sundberg however, does not teach "a cam assembly mounted to the base component" of the assembly for filling capsules. As such, Sundberg does not provide for the required limitations in amended claim 10 for effecting relative

displacement of the sheets. Thus, applicant's claim 10 is believed to be allowable over Sundberg.

Accordingly, for the above reasons, Applicant respectfully requests withdrawal of the rejection of claims 1-10 under Section 102(b), and submits by the present amendment, that these claims are allowable over Sundberg.

B. OBJECTION TO CLAIMS 11-19

Claims 11-16 and 18-19 depend directly or indirectly on currently amended claim 10, each with additional limitations, and are believe allowable for at least the same reasons as is claim 10. Claim 17 depends directly on amended claim 1, with additional limitations, and is believed allowable for at least the same reasons as is claim 1.

Accordingly, for the above reasons, Applicant respectfully submits by the present amendment, that these claims are allowable over Sundberg.

C. NEW CLAIM 21

New claim 21 has been added to claim the invention more extensively without adding new matter. Support for this claim can be found in Applicant's specification in paragraphs [0075-0078]. Applicant respectfully submits that new claim 21 is allowable over the cited art at least for reasons similar to those by which claim 10 is allowable over the cited art. Accordingly, Applicant respectfully submits that new claim 21 is allowable.

II. CONCLUSION

The remarks discussed above are believed to place the present Application in condition for allowance. Should the Examiner have any questions regarding the above remarks, the Examiner is requested to telephone Applicant's representative at the number listed below.

Respectfully submitted,

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